



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: June 19, 2007 – 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: John J. Ostrosky, Chairman
Robert P. Jacques, Vice-Chairman
Dorbert A. Thomas, Clerk
Patricia M. Banks
Kenneth F. Polito

Also Present: Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission approved the Minutes of May 15, 2007 as submitted.

2. Signed bills

3. Meetings and Hearings – 7:05 P.M.

285-** Continued – Public Hearing regarding the Notice of Intent filed by M.R. Real Estate, Inc. for the construction of a single family house at 46 Everett Avenue**

Attending the meeting was Mike Revelli, the developer; and Glenn Krevosky – from EBT Environmental.

Mr. Krevosky said this project does not trigger any threshold for "Appendix A." He submitted photos and discussed the area of the project and the condition of the brook; he said the brook is perennial.

Mr. Krevosky explained the status of the lot regarding the merging of the lots and ownership; he will supply this information to Engineering (Mr. Stone). He submitted the title search from the Registry of Deeds. Mr. Revelli also explained the history of the lots. The question is when did the lots get merged as related to the town zoning change. Mr. Krevosky said the two lots of 188 and 188-1 need to be proven.

Mr. Krevosky said they made a change regarding the compensatory storage. He submitted a revised plan, which Mr. Stone hasn't seen to review.

Mr. Jacques continued to express his concern about homeowners using the area underneath the house for storage or the homeowners closing it in and taking up flood storage; and commented he would to see some proposal to protect this area. Mr. Ostrosky told Mr. Revelli and Mr. Krevosky that the Commission doesn't want to get into policing the house to be sure that nothing gets stored under it.

Mr. Krevosky reviewed the main issues remaining to be resolved as the lot creation issue and the flood storage issue.

Elaine Strzelewicz, 37 Everett Avenue, expressed concern about the following:

- 1) asked about the compensatory storage area;
- 2) asked about the land ownership being in the middle of the road; and would a snowplow go into the compensatory storage; the Commission said no;
- 3) commented that they are still getting flooding and expressed continued concerned about this lot; Mr. Krevosky said the flow of run-off would be back towards the brook.

Mr. Ostrosky commented that in this case, the Commission could have a condition asking for an as-built for grades and compensatory storage.

Mr. Ostrosky continued the hearing to July 17, 2007, at 7:05 P.M.

285-1438 Public Hearing regarding the Notice of Intent filed by Diane Briggs for the construction of a sewage system at 43 Shirley Road

Attending the hearing were Diane Briggs, 43 Shirley Road; and Steve Sears – an engineer from David E. Ross Associates, Inc.

Mr. Sears said this filing is to construct a sewage system to replace cesspools, with associated grading, at the existing home. He said the project is within 100 feet, but no work is within 15 feet of the wetland line. He said the Board of Health approved the plan.

Mr. Ostrosky officially closed the hearing.

285-1440 Public Hearing regarding the Notice of Intent filed by B & D Builders, Inc. for the construction of a driveway and well at Lot 5 Sewall Street

Attending the hearing was Steve Sears – an engineer from David E. Ross Associates, Inc. Mr. Sears said this filing is for construction of a driveway and wall. He said the wetlands are across the street.

Mr. Sears said the proposed driveway and well within the 200 foot riverfront area and within the 100 foot BVW area. He stated all other work associated with the proposed house and sewage disposal system is outside the riverfront and wetland buffer zones

Mr. Jacques commented that he wants erosion control at back of property. Mr. Sears said he will put it on the plan and submit a new plan to Mr. Stone..

Mr. Ostrosky officially closed the hearing.

285-1439 Public Hearing regarding the Notice of Intent filed by Envision Homes, Inc. for the reconstruction of a single family home at 19 Edgemere Blvd.

Attending the hearing was Rob Kody – the builder; and Sean Hale – an engineer from David E. Ross Associates, Inc.

Mr. Hale said this filing is for the reconstruction of a single family home; they will demolition the house and build a new one. He said the entire project is within the buffer area.

Mr. Hale proposed using haybales around the back. He said there is nothing proposed beyond the walls; and noted that it is very steep in the back.

Mrs. Thomas asked if they will be taking the foundation out; and Mr. Kody said yes.

Mrs. Thomas asked if everything was being taken off-site and they were starting over; and Mr. Kody said yes.

Mr. Jacques asked if the existing grades are the final grades; and Mr. Kody said yes.

Mr. Ostrosky officially closed the hearing.

RDA Public Meeting regarding the Request for Determination of Applicability filed by Nancy and Ralph Whitcomb for the construction of a stone patio, waterfall, and rock garden at 104 South Quinsigamond Avenue

Attending the meeting was Ralph and Nancy Whitcomb, the homeowners. Mr. Whitcomb said they want to construct a patio, waterfall, and rock garden. He showed on the plan the location of each and said they are away from the lake.

Mr. Polito asked about excavation. Mr. Whitcomb said there won't be a lot of excavating; and grading is fairly level. He said there will be no work or spreading of excavates beyond the pond.

Mr. Ostrosky closed the meeting; the Commission voted a negative determination.

4. New Business

a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability

285-****	46 Everett Avenue – continued
285-1438	43 Shirley Road – conditionally approved
285-1440	Lot 5 Sewall Street – conditionally approved
285-1434	19 Edgemere Blvd. – conditionally approved
RDA	104 South Quinsigamond Avenue – voted a negative determination

4. New Business (Cont'd)

b. Discussed/Signed Enforcement Orders

- 76 Lakeside Drive

Mr. Stone gave the status of this project:

- 1) he's waiting to hear from the Building Inspector on the structural safety of the wall;
- 2) received landscaping information on this day;
- 3) next will be the process after getting satisfactory information.

- 10 Spring Meadow Drive

Mr. Stone said the first time they were in for a negative determination for work which were described as site improvements and field construction. He said the Commission conditioned the decision to use haybales and silt fence, at that time, to do the work.

Mr. Stone explained that the issuance of the Enforcement Order is for filling and grading within the 100-foot buffer zone to wetlands.

- 25 Canna Drive

Mr. Stone said there is a tiered wall already completed. Mr. Jacques suggested that the Contractor should be sent a letter of notice of violation and procedure. The Commission continued discussion that this has been happening a lot and maybe the way to handle it is to notify the contractor of the violation for future violations.

- 36 Stoneland Road

Mr. Stone said a chain link fence has been constructed into the water. He wants to issue an Enforcement Order to bring a section of it back out of the water. The Commission said to issue the Enforcement Order, but instruct them to leave the post in "high water."

c. Discussed/Issued Emergency Certificates

- Hill Street culvert replacement

- Walnut Street culvert replacement

Mr. Stone said the Contractors are ready to go; there are two culverts in need of immediate attention; and cannot wait for the Notice of Intent process. He said there is danger of the road collapsing soon. He showed the plans for both culverts. He said both projects are about two days of work.

The Commission voted to issue emergency certificates for both culverts.

4. New Business (Cont'd)

d. Discussed Conservation Commission Bylaw

The Commission agreed the by-law should include the points that are important to the Commission now: Compensatory storage; replication; their current guidelines; and the other pointed as suggested by Mr. Stone. Mr. Stone will work on this next step.

5. Old Business

a. Discussed/Signed Certificates of Compliance – Mr. Stone recommended signing

285-1101 23 Carter Road
285-709 11 Amherst Road

6. Correspondence

The meeting adjourned at 8:40 P.M.

Respectfully Submitted,

Annette W. Rebovich